

## CCRB INVESTIGATIVE RECOMMENDATION

|   |   |                           |  |                                    |                                 |
|---|---|---------------------------|--|------------------------------------|---------------------------------|
| Investigator:<br>Tahira Delaine                   | Team:<br>Team # 6                       | CCRB Case #:<br>200309438 | <input type="checkbox"/> Force                         | <input type="checkbox"/> Discourt. | <input type="checkbox"/> U.S.   |
|   |   |                           | <input checked="" type="checkbox"/> Abuse              | <input type="checkbox"/> O.L.      | <input type="checkbox"/> Injury |
| Incident Date(s)<br>Saturday, 11/22/2003 10:30 PM | Location of Incident:<br>V/O 161 Street | Precinct:<br>33           | 18 Mo. SOL<br>5/22/2005                                | EO SOL<br>5/22/2005                |                                 |
| Date/Time CV Reported<br>Mon, 11/24/2003 9:24 AM  | CV Reported At:<br>IAB                  | How CV Reported:<br>Phone | Date/Time Received at CCRB<br>Wed, 11/26/2003 12:00 AM |                                    |                                 |

| Complainant/Victim | Type | Home Address |
|--------------------|------|--------------|
|                    |      |              |
|                    |      |              |

| Subject Officer(s)     | Shield | TaxID  | Command |
|------------------------|--------|--------|---------|
| 1. LT Kieran Creighton | 00000  | 901383 | PBMN TF |
| 2. POM Eddy Moises     | 28929  | 904596 | PBMN TF |

| Officer(s)            | Allegation  | Investigator Recommendation |
|-----------------------|---|-----------------------------|
| A.LT Kieran Creighton | Abuse: LT Kieran Creighton threatened to arrest § 87(2)(b)                      |                             |
| B.POM Eddy Moises     | Abuse: PO Eddy Moises stopped the car in which § 87(2)(b) was an occupant.      |                             |
| C.LT Kieran Creighton | Abuse: LT Kieran Creighton stopped the car in which § 87(2)(b) was an occupant. |                             |

### Synopsis

On November 24, 2003, § 87(2)(b) filed a complaint with Internal Affairs against Lieutenant Kieran Creighton and Officer Eddy Moises. On November 22, 2003, § 87(2)(b) was a passenger in her brother's vehicle. § 87(2)(b) and her brother experienced car trouble as they were driving from Manhattan to their homes in Yonkers. § 87(2)(b) attempted to fix the problem with the vehicle and she and her brother slowly proceeded down 161<sup>st</sup> Street. While on 161<sup>st</sup> Street § 87(2)(b) and her brother were stopped by Lieutenant Creighton and Officer Moises. Officer Moises asked her brother for his license as Lieutenant Creighton stood by § 87(2)(b)'s passenger side window. Lieutenant Creighton asked § 87(2)(b) what was their problem. § 87(2)(b) explained that their vehicle was having trouble and she displayed her dirty hands to Lieutenant Creighton. § 87(2)(b) told Lieutenant Creighton that they were stuck. Lieutenant Creighton replied to § 87(2)(b) that she would be stuck in jail for the night. Lieutenant Creighton walked away from the vehicle and entered the RMP. § 87(2)(b) asked Officer Moises for the Lieutenant's name and badge number. Officer Moises provided § 87(2)(b) with Lieutenant Creighton's name. Officer Moises entered his RMP and left the scene.

On December 1, 2003, the investigator attempted to contact § 87(2)(b). § 87(2)(b) was unavailable. The investigator was unable to leave a message because § 87(2)(b) did not have an answering machine. Subsequently, a contact letter was sent to § 87(2)(b)'s residence. On December 3, 2003, the investigator attempted to contact § 87(2)(b). § 87(2)(b) was unavailable. The investigator was unable to leave a message because § 87(2)(b) did not have an answering machine.

On December 8, 2003, § 87(2)(b) contacted the investigator. The investigator asked § 87(2)(b) for her brother's name and phone number, because her brother was also a victim. § 87(2)(b) refused to provide the investigator with this information. When the investigator attempted to schedule an interview with § 87(2)(b), § 87(2)(b) asked if there was another way that she could proceed with her complaint without having to come into the city. § 87(2)(b) was told that she could submit a notarized statement. At this time § 87(2)(b) was explained the options of mediation and a full investigation. § 87(2)(b) stated that she would think about mediation and contact the investigator later. § 87(2)(b) stated that if she decided not to mediate, after the holiday she would send her notarized statement to the investigator.

On December 31, 2003, having not heard or received a statement from § 87(2)(b) the investigator attempted to contact her. § 87(2)(b) was unavailable. The investigator was unable to leave a message because § 87(2)(b) did not have an answering machine. On January 2, 2004, the investigator sent § 87(2)(b) a contact letter to her residence. On January 12, 2004, the investigator attempted to contact § 87(2)(b). § 87(2)(b) was unavailable. The investigator was unable to leave a message because § 87(2)(b) did not have an answering machine. At this time, § 87(2)(b) was sent a letter asking her to provide a notarized statement or schedule an interview by January 16, 2004 or her case would be closed. § 87(2)(b) has not attempted to contact the investigator. § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: